IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 11883 of 1998

Between:

G. Jacob s/o. Zudson
r/o. 10-25-1, Christianpet Kavali
Nellore Dt.

..... PETITIONER

AND

1 The Board of Education of the Samavesam of Telugu

Baptist Churches, rep. by Educational Sectretary,

Collegiate Education, C.A.M. Compond, Nellore.
2 The Correspondent, A.B.M.Jr.College, Kavali Nellore Dt.
3 The Regional Joint Director of School Education, Govt. of

A.P. Guntur, Guntur Dt.
4 The District Educational Officer, Nellore.
5 A. Antony s/o. Aravadas, R/o. CAM Compound, Nellore.

(R5 is impleaded as per Court Order dt. 5/1/2000 in
WPMP 199/2000.)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, one in the nature of Writ of Mandamus declaring the alleged transfer order passed by the Ist respondent on 14-7-97 as was informed by the 2nd respondent vide his letter dt.10-12-97, the inaction on the part of respondents 3 and 4 in not rectifying the irregularity inspite of representations by the petitioner is highly arbitrary, malafide, illegal and irregular and consequently directing the respondents to allow the petitioner to join duty as record assistant in A.B.M.Jr. College(HS), Kavali forthwith, with all the benefits of salary etc. as per rules.

Counsel for the Petitioner:MR.P.V.SRINIVASA RAO

Counsel for the Respondent Nos.1&2: MR.M.V.S.SURESH KUMAR

Counsel for the Respondent Nos.3&4: GP FOR SHOOL EDUCATION.

Counsel for the Respondent No.5: MR. BRIZ MOHAN SINGH.

The Court made the following :

ORDER:

This Writ Petition is filed by the petitioner seeking a writ of mandamus, declaring the transfer order dated 14-7-1997 passed by the first respondent as illegal and arbitrary.

Heard both sides.

Having regard to the subsequent chequered events and especially, in view of the fact that the petitioner has retired from service by March 2004 itself, nothing survives in the writ petition.

Accordingly, the Writ Petition is dismissed. However, the respondents are directed to consider the case of the petitioner with regard to his retirement benefits as per the law and pass appropriate orders. No costs.

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15-12-2004

To

1 The Educational Secretary, Board of Education of the

Samavesam of Telugu Baptist Churches, Collegiate

Education, C.A.M. Compond, Nellore.
2 The Correspondent, A.B.M.Jr.College, Kavali Nellore Dt.
3 The Regional Joint Director of School Education, Govt. of

A.P. Guntur, Guntur Dt.
4 The District Educational Officer, Nellore.
5 Two CCs to the Government Pleader for School Education,

High Court Building, Hyderabad. (OUT)

6 Two C.D. copies.

sj